FILED
SEP 16 2005
MISSISSIPPI
SECRETARY OF STATE

NOTICE OF PROPOSED RULE ADOPTION
STATE OF MISSISSIPPI
Mississippi Environmental Quality Permit Board
Mississippi Department of Environmental Quality

Mississippi Environmental Quality Permit Board
c/o Mary Jacq Easley, Senior Attorney
Department of Environmental Quality
Post Office Box 20305
Jackson, Mississippi 39289-1305
(601) 961-5369
mary_jacq_easley@deq.state.ms.us

Specific Legal Authority Authorizing the promulgation of Rule:
Miss. Code Ann. §§ 49-17-28 and 49-17-29 (Rev. 2003);
Miss. Code Ann. §§ 25-43-2.103, 25-43-2.104, and 25-43-3.104(2)(d) (Rev. 2003)

Reference to Rules repealed, amended or suspended by the Proposed Rule:
None.

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: The purpose of the proposed Rule is to satisfy requirements of the Mississippi Administrative Procedures Act, Miss. Code Ann. 25-43-1.101 *et seq.*, (Rev. 2003), which became effective on July 1, 2005, requiring the Mississippi Environmental Quality Permit Board ("Permit Board") to provide rules for "the form, contents and filing of written requests for declaratory opinions," for "the procedural rights of persons in relation to the written requests," and for "disposition of the written requests." The Permit Board must also "adopt as a rule a description of the organization and the agency which states the general course and method of its operations," and may also adopt rules of practice for rule-making.

This rule is proposed as a ☑ Final Rule, and/or a ☐ Temporary Rule (Check one or both boxes as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

☑ An oral proceeding is scheduled on this rule on
Date: October 18, 2005
Time: 4:30 p.m.
Place: Mississippi Commission of Environmental Quality Hearing Room, 2380 Highway 80 West, Jackson, Mississippi, 39204.

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least five (5) days prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☐ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

☑ The agency has determined that an economic impact statement is not required for this rule, or

☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: September 16, 2005

Proposed Effective Date of Rule: December 8, 2005

Mary Jacq Easley
Mary Jacq Easley, Senior Attorney